

## **EXAMINER'S COMMENTS and AMENDMENTS**

1. Applicant's Amendments to the claims filed on 2/3/2009 are acknowledged and ENTERED.
2. An Examiner's Amendment to the title appears below pursuant to MPEP 1302.04(a) and 606.01. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this Examiner's Amendment was given in a telephone interviews with Applicant's representative Robert Traver on 12 March 2009 and Applicant's representative Gary Connell on 16 March 2009. An interview summary is attached. Authorization was given to amend the claims and the title by Examiner's Amendment and pass the case to issue.

### **In the claims:**

In claim 41, delete the word "A" at the beginning of claim and insert the phrase "An isolated" as the first two words of the claim.

In claim 41, change the word "TPO" to "thrombopoietin".

In claim 42, add the word "isolated" between the words "The" and "protein" in line 1.

In claim 42, change the word "TPO" to the word "thrombopoietin".

In claim 77, add the word "isolated" between the words "the" and "protein" in line 1.

In claim 78, add the word "isolated" between the words "the" and "protein" in line 1.

### **New Title: Thrombopoietin protein variants.**

4. All pending rejections/objections are withdrawn in light of the Examiner's Amendment herein.
5. SEQ ID NO: 25 comprising at least one of the following variants: F46V, F128V, and

F131V, is free of the prior art. Prior art and interference search results are in SCORE.

6. Claims 41, 42, 77, and 78 are allowed with the aforementioned Examiner's Amendment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHERIE M. WOODWARD whose telephone number is (571)272-3329. The examiner can normally be reached on Monday - Friday 9:30am-6:00pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Manjunath N. Rao can be reached on (571) 272-0939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Cherie M. Woodward/  
Primary Examiner, Art Unit 1647